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ON TAP

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A “CATCH 22”

Have you, or someone you know, ever wanted to become employed in a certain field of endeavor, only to be told that you “need experience?” But the only way to get experience is to “work in that field of endeavor.” This is a contemporary version of the term “Catch 22”, a term made popular by author Joseph Heller who wrote the book “Catch 22”.

This District has experienced a “Catch 22” with its wells. Here is the story:

The District owns two wells, the Rose Canyon Well and the Lang Well; they are located near Trabuco Creek on Rose Canyon Road. You have probably seen them many times. They are cinder block buildings near the intersection of Rose Canyon Road and Trabuco Canyon Road.

They produce water only when there has been a significant amount of rainfall. The water they produce is delicious and, just as important, almost “free.” The District only incurs the cost of pumping and chemical treatment to provide water at the fairly high elevation Trabuco Canyon Water District serves. The wells have been used by the District since the 1960’s and the water the wells have produced has been a nice source of alternative local water in a region that relies heavily on imported water for domestic use (as in “drinking water”). This is a good thing.

All water districts work closely with their local State Department of Public Health. This is the regulatory agency for permitting sources of water for domestic use. This is

very much the case with Trabuco Canyon Water District. The District has enjoyed a very good working relationship with the Department of Public Health for many, many years. The Department has been a valuable resource for the District on numerous occasions.

It was because of this relationship with the Department of Public Health that the District received “early word” that the District’s wells may be considered to be “under the influence of surface water”, according to new regulations adopted by both state and federal governments. Surface water can be a source of organisms which include bacteria, viruses, and parasites. This is not a good thing.

If the wells were “under the influence of surface water” it would mean that additional treatment would be necessary at the well sites. The District worked with the Department of Public Health to develop a series of tests which would demonstrate the level of influence of surface stream water at the well location. District staff knew, because of the ongoing testing and treatment that was in effect at the time, that the wells were not affected by surface water, but the new regulations were written in such a way that the District needed to prove that the wells were not “under the influence of surface water.” The District was up for the challenge and prepared to engage the necessary consultants to demonstrate the effectiveness of the natural filtration that was already occurring at the well site which produced the high quality well water. This is a good thing.

The District presented the test protocols to the Department of Public Health for review and approval. The Department agreed the tests would be good to demonstrate the level of any “influence of surface water.” The test had crucial components for the analysis: annual sustained monitoring of well water, upstream creek flow, and downstream creek flow. Additionally, this type of test needed to occur over a multiple year period; in fact, the more years the better. The fact of the matter was that the Department of Public Health knew the District wells produce high quality, contaminant free water, but needed the District to prove it so that the letter of the law could be met under the new regulations. So the Department granted the District the luxury of time to build a case of good test information. This is a good thing.

Unfortunately, the one thing that was out of both the District’s and the Department of Public Health’s control was rain. The District needed regular, steady rainfall for a number of years to build its body of evidence about the absence of “influence of surface water.” The test results that were obtained were great, but just not voluminous enough for the Department of Public Health to make a finding about the absence of “influence of surface water.” This is not a good thing.

So the District began to prepare for additional treatment upgrades for the well sites. These improvements are not inexpensive, and the District would need to secure low interest funding from the State of California. To do so would need the blessing of the Department of Public Health regarding the type of treatment. Plans were submitted to the Department of Public Health in January of 2007. After much discussion between the District and the Department, it was determined that the treatment process would include: media filtration, ultraviolet disinfection, and chlorine disinfection. This would address all concerns that might be caused by any condition from ‘influence of surface water.’

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Once the final treatment plans are approved by the Department of Public Health, the District will secure funding from the State and begin design plans for the treatment process. If all goes well, the treatment upgrades could be in place before 2009. This is a good thing.

So, what is the “Catch 22”? The District needs rain to prove the water used from the wells is high quality. If there is no rain, the Department of Public Health must make a determination that the water from the wells needs treatment.

This is one remaining issue for the Department of Public Health—formal notification from the Department to the District about the new regulations and the determination that the District wells may be “under the influence of surface water.” The District knew this was coming and had hoped the new treatment process could be in place far in advance of the notice. But, unfortunately this simply wasn’t able to happen. So how does the Department of Public Health provide formal notice to any water agency? It issues a Compliance Order. This is not a good thing.

Agencies that provide public drinking water generally fear Compliance Orders. The Department of Public Health will issue Compliance Orders for events that have occurred that could have allowed contaminants into the water: line breaks, treatment system failures, or failure of a water system to monitor its water quality. While this is not the case of Trabuco Canyon Water District and its wells, the effect of the Compliance Order is the same. Compliance Orders require a water system to notify its customers that the water system does not meet treatment requirements. In some cases, it advises customers to “boil water” before drinking. In fact, many individuals associated with the water industry use the

term Compliance Order and Boil Water Order interchangeably. Boil water orders are not a good thing.

This is not the case with the Compliance Order received from the Department of Public Health. Simply stated, it is a requirement by the Department of Public Health to implement improved treatment at the wells sites, or stop using the wells. It is extremely important to note the compliance date is March 30, 2010. If there was any concern by the Department of Public Health about the quality of the well water, they would have issued an immediate cease and desist. A copy of the Compliance Order can be viewed on the District’s website under Department of Public Health Information; it is very well written and informative. All things considered, the Department of Public Health has been extremely fair. This is a good thing.

So what does this mean to the District and its customers?

Within 30 days of the receipt of the Compliance Order, the District must notify every customer of its failure to meet treatment requirements. Unfortunately, the law is very specific about the wording the notice must use, and it tends to make the situation sound much worse than it really is. However, the wording is designed to protect the public health and is intended for situations much more serious than the District and its wells. Continuing notices must be sent every 90 days until the situation is resolved.

So by now you may have received a formal notice from the District about “TCWD Does Not Meet Treatment Requirements.” If not, please contact us or visit our website. The District hopes the explanation provided in this *ON-TAP* will alleviate any concern and answer any questions not covered in the formal notice.

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The health and safety of District customers is always our primary consideration. And, for what it is worth, there isn’t any well water. No rain.

The Regular Board Meeting is held on the third Wednesday of each month at 7:00 p.m. at the District office located at 32003 Dove Canyon Drive, Trabuco Canyon. The public is encouraged to attend.

BOARD HIGHLIGHTS

- ◇ July 18, 2007 – Established the water standby assessment for Fiscal Year 2007/08.
- ◇ Determined to hold a public hearing relating to water quality relative to public health goals for the August 15, 2007 Board Meeting.
- ◇ Special Board Workshop to review the FY 2007/08 General Fund Budget.
- ◇ Received a status relating to the Rose Canyon and Lang Wells Upgrades to Treatment Facilities.
- ◇ Received a status relating to the Robinson Ranch Recycled Water Distribution System Expansion.
- ◇ Received a status relating to the Dry Season Water Recovery Project.
- ◇ Approved an amendment to the Baker Regional Potable Water Treatment Facility Feasibility Study.
- ◇ Authorized the purchase of construction equipment.
- ◇ Received information regarding the Municipal Water District of Orange.

ON TAP is published and distributed by TCWD. We welcome your comments, suggestions and questions. Please call or write Sharon E. Smith, Editor

TCWD's *ON-TAP*

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